

PETTY OFFENSE PO ☐ JUDGE/MAGISTRATE Assigned U.S.  
 OTHER MINOR OFFENSE MO ☐ 1085 4 8509  
 OTHER MISDEMEANOR Mis ☐ District Office 12-21-76  
 FELONY Fel ☒ District Office 12-21-76

vs. FITZGERALD, HARRY L.  
 5127 S. Lewis, Tulsa 74105  
 Res. 749-2723  
 (LAST, FIRST, MIDDLE)

Case Filed  
 Mo. Day  
 09 03  
 No. of Def's  
 \* 1

76-CR-130 - 1

Yr. Docket No. Def.

U.S. TITLE/SECTION OFFENSES CHARGED ORIGINAL COUNTS  
 15 USC 77(e)(a)(2) & Use of mail depository to deliver 2  
 15 USC 77 (x) unreg. securities  
 (5 Yrs. &/or \$5,000.00 per ct.)

U.S. MAG.  
CASE NO.

BAIL • RELEASE

☐ Denied ☐ AMT ☐ Fugitive  
☐ Set ☒ Pers. Recog.  
☐ PSA  
 \$ 1,000 conditions  
☐ Date 2-20-76 ☐ 10% Deposit  
☐ Bail Not Made ☐ Surety Bond  
☐ Status Changed (See Docket) ☐ Collateral  
☐ 3rd ☐ Other  
 Prty Cust

## II. KEY DATES &amp; INTERVALS

ARREST or	INDICTMENT	ARRAIGNMENT	TRIAL	SENTENCE
U.S. Custody Began 2-25-76	High Risk Date 2-20-76	9-3-76	Trial Set For Voor Dire <input type="checkbox"/>	Disposition of Charges 12-21-76
Summons Served	Indict. Waived 9-3-76 <input checked="" type="checkbox"/>	1st Plea 9-3-76	Trial Began <input type="checkbox"/>	<input checked="" type="checkbox"/> Convicted <input type="checkbox"/> On All Charges
First Appearance	In Charging District 9-3-76	Final Plea 12-21-76	Trial Ended <input type="checkbox"/>	<input type="checkbox"/> Acquired <input type="checkbox"/> On Lesser * Offense(s)
	Superseding <input type="checkbox"/> Indict/Info <input checked="" type="checkbox"/>			<input type="checkbox"/> Dismissed: <input type="checkbox"/> WOP: <input type="checkbox"/> WP
				<input type="checkbox"/> On Governm'ts Motion

MAGISTRATE		OUTCOME:	
Search Warrant	Issued Return	DATE	INITIAL/NO.
Summons	Issued Served	DATE	INITIAL/NO.
Arrest Warrant Issued		DATE	INITIAL/NO.
COMPLAINT		DATE	INITIAL/NO.
OFFENSE (In Complaint)		DATE	INITIAL/NO.

U.S. Attorney or Asst.

## ATTORNEYS

Defense: ☐ CJA ☒ Ret: ☐ Waived ☐ Self ☐ None / Other: ☐ PD ☐ CD

William R. Hawes, Spec. Atty.  
 Jay Johnson, Spec. Atty.  
 Kenneth Snoke, Asst. US Atty.

George Owens, Nik Jones, and Larry Henry  
 1606 First National Bldg., Tulsa, OK 74103  
 (918) 587-0021

\* Show last names and suffix numbers of other defendants on same indictment/information:

DATE	(DOCUMENT NO.)	PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
-1976-			
9-3		Case called for Arraignment and Plea. Deft. present and rep. Govt. rep. Deft. advised of charge, waives indictment and waiver is signed and filed in Open Court. <u>INFORMATION</u> is filed and read in Open Court. Waiver of Statute of Limitations is signed and filed in Open Court. Deft. is arraigned and <u>enters a plea of GUILTY</u> as to Cts. 1 & 2 of the Information, and is adjudged GUILTY as to Cts. 1 & 2 of the Information. Jury waiver is signed and filed in Open Court. Deft. to stand on present bond. Sentence is set for 9-21-76 at 10:00 a.m. Ct. orders a financial and health statement re Deft. & family to be submitted to the Court. Govt. to prepare order of dismissal as to the Indictment in 76-CR-23-5 and present 9-21-76 during sentencing. (AEB-J)v	
9-3		Waiver of Indictment, filed in Open Court. (AEB-J)v	
9-3		Waiver of Statute of Limitations, filed in Open Court. (AEB-J)v	
9-3		Waiver of Jury, filed in OPEN Court. (AEB-J)v	
9-7		Notice of Sentencing to be held 9-21-76 at 10 a.m. mld. to parties. v	

DATE		76-CR-130	IV. PROCEEDINGS (continued)	PAGE TWO	V. EXCLUDABLE DELAY			
'76		(DOCUMENT NO.)	FITZGERALD		Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
9-9	MO:	It is ordered by the Court that the sentencing herein is stricken from 9-21-76 and continued until further order of the Court. (AEB-J)v -ltrs. mld.						
10-4	Transcript of proceedings on 9-3-76, filed.	b (GRD-CSR)						
12-15	MO:	Case set for sentencing on 12-21-76, at 10:00 A.M. (AEB -J)b nts mld						
12-15	MO:	It is ordered by the Court that deft. report to the USM on 12-20-76, at 9:00 A.M. Bond will be exonerated. (AEB-J)b nts by phone						
12-21	Case called for sentencing of deft. Deft. present & rep. by L. Henry. Govt. rep. by Wm. Hawes. Deft. changes plea from GUILTY to NOLO CONTENDERE. Govt. objects. Ct. allows nolo plea. Deft. states financial report is true & correct. Deft. & co. asked if they have anything to say before sent. is pronounced: Judgment & Sentence - Harry L. Fitzgerald							
	Cts 1 & 2 - Impos. of sent is suspended & deft. is placed on/probation for period of one (1) year, Ct. 2 to run concurrently w/ct. 1. Ct. orders Fin. report sealed. Govt. moves for dismissal of Ct. 1-7 in case 76-CR-23. Ct. approves dismissal. Govt. to prepare order. (AEB-J)b							
12-21	Judgment & Order of probation, filed & entered. (AEB-J)b							
12-21	Two c/c of J & Ord. of prob. delivered to probation. b							
12-29	Copy of transcript of proceedings had on 12-21-76, filed. b (GRD-CSR)							
FINE AND RESTITUTION PAYMENTS								
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER			

For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).

B. NARA Examination (28 U.S.C. 2902).

C. State or Federal trials on other charges.

D. Interlocutory Appeals.

E. Hearings on pretrial motions.

F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 &amp; 40).

G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).

H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.

I. Prosecution deferred by mutual agreement.

M. Unavailability of defendant or essential witness.

N. Period of mental or physical incompetence of defendant to stand trial.

O. Period of NARA Commitment or Treatment.

P. Superseding indictment and/or new charges.

R. Defendant awaiting trial of Co-defendant when no severance has been granted.

T. Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants' interests).

U. Time between guilty plea and plea withdrawal.

W. Grand Jury indictment extended per 3161 (b).